



STATE OF NEW HAMPSHIRE  
JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES  
ROOM 219  
25 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6312

**Action Minutes**

**NOVEMBER 3, 2017**

**Members Present:** Senators Reagan, Avard, and French, and Representatives McGuire, Schmidt, Ladd, Hatch, Graham, Matthews\*, Ohm\*, and Sytek\*. (\*) Indicates alternate member.

(\*\*) Part 1, Article 28-a of the N.H. Constitution was not an issue in the Committee's discussions or decisions in this meeting.

1. The meeting was convened at 9:02 a.m. by Sen. Reagan as Chair.

Members present at this time, aside from Sen. Reagan, were Sen. French and Reps. Hatch, Ladd, Graham, Ohm and Sytek.

Sen. Reagan designated Rep. Matthews and Rep. Ohm as alternates, respectively, for Sen. Feltes and Sen. Kahn, who were absent.

2. The Committee discussed the minutes of the Committee meeting on October 19, 2017.

Sen. Avard arrived during the discussion of this item.

Rep. Hatch moved that the minutes be approved with the following amendment to Item #12 relative to Final Proposal 2017-105 from the Department of Health and Human Services (Former Division of Human Services, Medicaid Physician Services – Non-Covered Services): Change the reference from "Former Division of Public Health Services" to "Former Division of Human Services" in the agency identification.

Rep. Matthews seconded.

Adopted.

3. The Committee discussed the response by the Department of Health and Human Services to the Committee's preliminary objection to Final Proposal 2017-39 (Commissioner, New Hampshire Child Care Program Licensing Rules). Catherine Bernhard, Melissa Clement, and Melissa St. Cyr testified for the Department.

Rep. McGuire and Rep. Schmidt arrived as the discussion on this item began.

Written testimony was submitted prior to the meeting from the following persons:

Anne Grassie, Marti Ilg, and Marianne Barter representing the N.H. Child Care Advisory Council Executive Committee.

Meryl S. Gillen, representing Kiddie Konnection.

Cathy Mayotte, representing Tiny Tots Preschool.

The following persons also testified:

Michael McLaughlin, representing Alpha Bits Learning Center, Inc.

Sarah Greenshields, representing Little Tree and Montessori Community.

Victoria Bram, representing Little Tree Education.

Sally Wuellenweber, representing The Tot Spot.

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James O'Shaughnessy.

Rep. Hatch moved that the Committee accept the response and approve the rules.

Sen. Avard seconded.

Adopted.

4. The Committee discussed Final Proposal 2017-62 from the Board of Nursing (Licensees with the Authority to Delegate Nursing Related Activities; Eligibility to be a Delegatee). Robert Lamberti, from the Office of Professional Licensure and Certification, represented the Board.

It was the consensus of the Committee to postpone this item to the next Committee meeting on November 16, 2017.

5. The Committee discussed Final Proposal 2017-86 from the Department of Safety (Commissioner, Readoption of Electronic Toll Collection Hearings). Keith Lohmann testified for the Department.

Sen. Avard moved that the Committee conditionally approve Final Proposal 2017-86 on the grounds that rule Saf-C 522.06(c) be reworded to read: "No fine shall be assessed unless it is first determined by the commissioner or his or her designee to be consistent with the uniform administrative fine schedule set forth in Saf-C 522.07."

Rep. Ladd seconded.

Adopted.

6. The Committee briefly discussed Final Proposal 2017-87 from the Department of Safety (Commissioner, New Hampshire Fire Standards and Training and EMS Administrative Fee Rules).

It was the consensus of the Committee to postpone this item to the next Committee meeting on November 16, 2017.

7. The Committee adjourned by consensus at 9:53 a.m.